

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF THE STATE  
OF NEW YORK

COUNTY OF KINGS

GPS and Timestamp: 40.84002721608223, -73.92860014368239  
1687786818000

Plaintiff / Petitioner:

ACOSTA ET AL

Defendant / Respondent:

THE CITY OF NEW YORK ET AL

## AFFIDAVIT OF SERVICE

Index No:

22-CV-00576

The undersigned being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at County of Nassau. That on Mon, Jun 26 2023 AT 09:40 AM AT 1278 Sedgwick Ave SRG 2, Bronx, NY 10452 deponent served the within summons and first amended verified complaint and notice of commencement by electronic filing on POLICE OFFICER IVAN LUGO

- ☐ **Individual:** by delivering a true copy of each to said defendant, personally; deponent knew the person so served to be the person described as said defendant therein.
- ☐ **Corporation/Entity:** \_\_\_\_\_ a defendant, therein named, by delivering a true copy of each to \_\_\_\_\_ personally, deponent knew said corporation so served to be the corporation described, and knew said individual to be \_\_\_\_\_ thereof.
- ☒ **Suitable Person:** by delivering thereat, a true copy of each to Sergeant Joseph Spalding a person of suitable age and discretion.
- ☐ **Affixing to Door:** by affixing a true copy of each to the door thereof, deponent was unable with due diligence to find defendant, or a person of suitable age or discretion thereat, having called thereon; at \_\_\_\_\_
- ☒ **Mailing:** Deponent also enclosed a copy of same, in a postpaid sealed wrapper marked Personal & Confidential and not indicating on the outside thereof, properly addressed to said defendant at defendant's last known residence/workplace, 1278 Sedgwick Ave SRG 2, Bronx, NY 10452, and depositing said wrapper in a post office, official depository under the exclusive care and custody of the United States Post Office within New York State on Mon, Jun 26 2023 by REGULAR FIRST CLASS MAIL in an envelope marked **PERSONAL & CONFIDENTIAL** and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.
- ☒ **Military Service:** I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. *Defendant wore ordinary civilian clothes and no military uniform.* The source of my information and the ground of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

## Description:

Age: 45 Ethnicity: African American Gender: Male Weight: 180  
 Height: 5'8" Hair: Bald Eyes: Brown Relationship: Co worker  
 Other \_\_\_\_\_

Said documents were conformed with index number and date of filing endorsed thereon.

Sworn to before me on

this 28th day of June 2023  
Janet Raider  
 Notary Public

Mitchell Raider  
 1450036

